

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 05, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAMIEN A. V.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 1:21-CV-3124-RMP

ORDER GRANTING PARTIES'
STIPULATED MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 14. Plaintiff Damien A. V.¹ is represented by attorney D. James Tree. The Commissioner of Social Security is represented by Special Assistant United States Attorney L. Jamala Edwards.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 14**, is **GRANTED**. Pursuant to the parties'

¹ The Court uses Plaintiff's first name and last initial to protect his privacy.

1 stipulation, the Commissioner’s final decision is **reversed and remanded** for
2 further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand
3 to the Commissioner of Social Security, the Appeals Council will direct the
4 Administrative Law Judge (“ALJ”) to:

- 5 • further develop the record;
- 6 • reevaluate the opinion evidence of record and prior administrative
7 medical findings;
- 8 • reevaluate whether the severity of Plaintiff’s impairments meets or
9 medically equals the criteria of a listed impairment;
- 10 • obtain evidence from a medical expert to clarify the nature, severity,
11 and effects of the claimant’s medical impairments;
- 12 • reevaluated Plaintiff’s subjective symptoms, including evidence from
13 non-medical sources;
- 14 • reevaluate Plaintiff’s maximum residual functional capacity;
- 15 • determine whether Plaintiff is able to do any other work considering his
16 assigned residual functional capacity, age, education, and work
17 experience;
- 18 • if necessary, obtain supplemental vocational expert evidence to clarify
19 the effect of the assessed limitations on Plaintiff’s ability to perform
20 other work available in significant numbers in the national economy;
21 and
- Offer Plaintiff the opportunity for a hearing, consider any additional
evidence submitted, take any further action needed to complete the
administrative record, and issue a new decision.

20 *See* ECF No. 14 at 1–2.

